

FILED

APR 03 2019

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAMELA WINGATE,

Defendant.

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CASE NO.

Title 18, United States Code,  
Sections 1343 and 1028(a)(7),  
(b)(1)

JUDGE GWIN

MAG. JUDGE BAUGHMAN

COUNTS 1-3

(Wire Fraud, 18 U.S.C. § 1343)

The United States Attorney charges:

Relevant Entities and Persons

1. At all times material to this Information, Empire Settlement Funding, LLC and Cash4Cases, Inc. were advance settlement funding companies located in Boca Raton, Florida, and New York, New York, which advanced money to injured claimants pursuing personal injury lawsuits in exchange for an ownership interest in potential recoveries.

2. At all times material to this Information, Corporations A and B were companies doing business in the Northern District of Ohio, Eastern Division.

3. At all times material to this Information, Attorney A, an attorney practicing law in the Northern District of Ohio, Eastern Division, represented Defendant PAMELA WINGATE in a personal injury lawsuit against Corporations A and B.

4. At all times material to this Information, Attorney B, an attorney practicing law in the Northern District of Ohio, Eastern Division, represented Corporations A and B against Defendant's personal injury lawsuit.

General Allegations about the Fraud Scheme

5. From on or about September 12, 2016, through on or about January 4, 2017, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant PAMELA WINGATE, devised and intended to devise a scheme and artifice to defraud Empire Settlement Funding, LLC and Cash4Cases, Inc. to obtain money from them by means of materially false and fraudulent pretenses, representations, promises and omissions by, among other things, representing through fabricated email communications in the name of Attorney A and a fabricated letter in the name of Attorney B, that Corporations A and B had made settlement offers through which Defendant qualified for advance settlement monies.

Manner and Means of the Scheme and Artifice to Defraud

6. The manner and means by which Defendant accomplished the scheme and artifice to defraud, included, among others, the following:

a. On or about September 12, 2016, Defendant created a fraudulent email account in the name of Attorney A;

b. On or about November 29, 2016, Defendant sent an email to Empire Settlement Funding, LLC claiming to be Attorney A and attaching a fraudulent letter with a forged signature of Attorney B claiming that Corporations A and B had offered to settle Defendant's personal injury claim for \$120,000;

c. On or about November 30, 2016, Defendant executed a wire transfer authorization form with Empire Settlement Funding, LLC authorizing it to transfer money to a bank account controlled by Defendant;

d. On or about December 28, 2016, Defendant sent a fraudulent email to

Cash4Cases, Inc. claiming to be Attorney A and that Corporations A and B had made an offer of \$175,000 to settle Defendant's personal injury claim.

7. On or about the dates set forth below, in the Northern District of Ohio, Eastern Division and elsewhere, Defendant PAMELA WINGATE, for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

Count	Date	Description
1	11/30/2016	Wire transfer from account XXXXXX1815, at PNC Bank and in the name of Empire Settlement Funding, to account XXXXXX7771, at Fifth Third Bank, and in the name of PAMELA WINGATE, in the amount of \$2,500.
2	12/06/2016	Wire transfer from account XXXXXX1815, at PNC Bank and in the name of Empire Settlement Funding, to account XXXXXX7771, at Fifth Third Bank, and in the name of PAMELA WINGATE, in the amount of \$1,000.
3	12/29/2016	Signed agreement sent by email by Defendant to Cash4Cases, Inc. agreeing to accept money in the amount of \$23,875.

All in violation of Title 18, United States Code, Section 1343.

COUNT 4

(Identity Theft, 18 U.S.C. § 1028(a)(7), (b)(1))


The United States Attorney further charges:

8. From on or about September 12, 2016, through on or about January 4, 2017, in the Northern District of Ohio, Eastern Division, and elsewhere Defendant PAMELA WINGATE did knowingly use in or affecting interstate or foreign commerce, without lawful authority, a means of identification of another person, to wit; the names of Attorneys A and B, knowing that the means of identification belonged to another actual person, with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, to

wit; Wire Fraud in violation of 18 U.S.C. § 1343, and as a result of the offense, Defendant obtained anything of value aggregating \$1,000 or more during any one year period.

In violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1).

JUSTIN E. HERDMAN  
United States Attorney

By:   
Teresa L. Riley  
Attorney in Charge, Criminal Division  
Akron Branch Office